

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Nissl et al. Confirmation No.: 7923  
Application No.: 10/573,948 Group No.: TBD  
Filed: Examiner: TBD  
For: REMOVABLE STENT

## STATEMENT UNDER 37 CFR 3.73(b)

Alveolus, Inc. is:

1. ☒ the assignee of the entire right, title and interest; or  
2. ☐ an assignee of less than the entire right, title and interest  
(The extent (by percentage) of its ownership interest is \_\_\_\_\_%)

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above.  
The assignment was recorded in the Patent and Trademark Office at Reel , Frame ,  
or a true copy of the original assignment is attached.

OR

- B. ☐ A chain of title from the inventor(s) of the patent application/patent identified above, to  
the current assignee as follows:

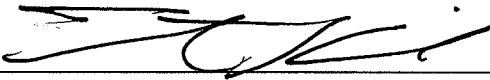
1. From: To:  
The document was recorded in the Patent and Trademark Office at  
Reel , Frame , or for which a copy thereof is attached.
2. From: To:  
The document was recorded in the Patent and Trademark Office at  
Reel , Frame , or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11

The undersigned is empowered to sign this statement on behalf of the assignee.

5/1/07  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Trent A. Kirk, Registration No. 54,223

Correspondence Address is Customer No. 000037305

## ASSIGNMENT

THIS ASSIGNMENT, having an effective date as of September 30, 2003, made by us, Thomas Nissl, a citizen of Germany, residing at Boschstrasse 16, D-21423 Winsen/Luhe, Germany; and Eric Mangiardi, a citizen of the United States of America, residing at 701 Queen Charlotte Court, Charlotte, North Carolina 28211 US:

WITNESSETH: That,

WHEREAS, we are the inventors of certain new and useful improvements in **REMOVABLE STENT** for which an international application under the Patent Cooperation Treaty (PCT) has been filed in the Receiving Office of the United States Patent and Trademark Office and for which a U.S. application has been separately filed in the U.S. Patent and Trademark Office. The international application bears Application No. PCT/US2004/031886 and was filed on September 29, 2004. The U.S. application bears Application No. 10/573,948 and was filed on March 30, 2006. Both International Application No. PCT/US2004/031886 and U.S. Application No. 10/573,948 claim priority of U.S. Application No. 60/507,282, filed September 30, 2003. Both the international application and the U.S. application will hereinafter be referred to as the subject applications.

WHEREAS, ALVEOLUS INC., having a principal place of business at 9013 Perimeter Woods Drive, Suite A, Charlotte, North Carolina 28216 US, hereinafter referred to as assignee, is desirous of confirming its ownership of the entire right, title and interest in and to said invention as described in the subject applications, and in and to any and all Letters Patent which shall be granted therefor in the United States of America and all foreign countries;

NOW, THEREFORE, To Whom It May Concern, be it known that for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, we have sold and by these presents do hereby sell, assign, transfer and convey unto the said assignee, its successors and assigns, the entire right, title and interest in and to the said invention and the subject applications, and in and to any and all continuations, continuations-in-part, or divisions thereof, and in and to any and all Letters Patent of the United States of America and all foreign countries or reissues or extensions thereof which may be granted therefor or thereon, for the full end of the term for which said Letters Patent may be granted, together with the right to claim the priority of

the subject applications in all foreign countries in accordance with the International Convention, the same to be held and enjoyed by said assignee, its successors and assigns, as fully and entirely as the same would have been held and enjoyed by us if this assignment and sale had not been made.

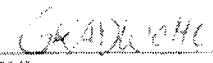
We hereby request that said Letters Patent be issued in accordance with this assignment.

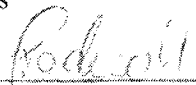
We further covenant and agree that, at the time of the execution and delivery of these presents, we possess full title to the invention and the subject applications above-mentioned, and that we have the unencumbered right and authority to make this assignment.

We further covenant and agree to bind our heirs, legal representatives and assigns, promptly to communicate to said assignee or its representatives any facts known to us relating to said invention, to testify in any interference or legal proceedings involving said invention, to execute any additional papers which may be requested to confirm the right of the assignee, its representatives, successors or assigns to secure patent or similar protection for the said invention in all countries and to vest in the assignee complete title to the said invention and Letters Patent, without further compensation, but at the expense of said assignee, its successors, assigns and other legal representatives.

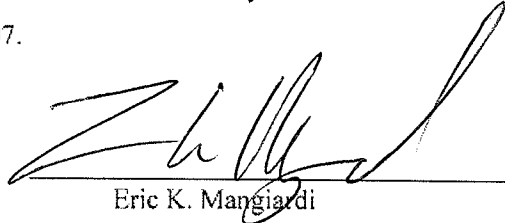
IN WITNESS WHEREOF, we have hereunto set our hands and seals on this 20 day of April, 2007.

  
\_\_\_\_\_  
Thomas Nissl (SEAL)

  
\_\_\_\_\_  
Witness

  
\_\_\_\_\_  
Witness

IN WITNESS WHEREOF, I have hereunto set my hand and seal on this 13<sup>th</sup> day of March, 2007.

 (SEAL)  
Eric K. Mangiardi

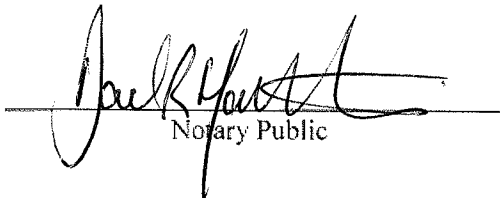
STATE OF NORTH CAROLINA )

COUNTY OF MECKLENBURG )

I, DAVID R HAMILTON, a Notary Public for said County and State, do hereby certify that Eric K. Mangiardi personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 13<sup>th</sup> day of March, 2007.

(Official Seal)

  
Notary Public

My commission expires: 10-5-2010

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